# IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

DARLIE LYNN ROUTIER,	§	
	§	
Petitioner,	§	
	§	
V.	§	Civil No. SA-05-CA-1156-FB
	§	
LORIE DAVIS, Director,	§	
Texas Department of Criminal Justice,	§	
<b>Correctional Institutional Division,</b>	§	
	§	
Respondent.	§	

### JOINT STATUS REPORT

### TO THE HONORABLE COURT:

Counsel for Petitioner Darlie Lynn Routier and Respondent Lorie Davis respectfully submit this Joint Status Report. Since the filing of the parties' previous Joint Status Report, the Texas Department of Public Safety – in consultation with the state court trial judge and counsel for both Petitioner and the Dallas County District Attorney's office – has continued DNA testing on the items identified for testing in the state trial court's amended DNA testing order. The DPS laboratory reported partial reports on that testing in a report dated July 19, 2018. On November 28, 2018, the state trial court judge issued an order providing for Y-STR DNA testing of five additional items. As of the time of this report, that Y-STR testing has not been completed.

In light of the ongoing proceedings in the state court, the parties submit that good cause exists for the Court to continue to hold this case in abeyance.

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## DATED: December 17, 2018

## /s/ Richard A. Smith

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was served on the Attorney General for the State of Texas, Counsel for Respondent, on December 17, 2018, via ECF filing and by mailing a copy of the instrument, with first class postage affixed to:

Tomee Heining, Esquire Assistant Attorney General Office of the Attorney General Criminal Appeals Division P.O. Box 12548, Capitol Station Austin, Texas 78711-2548

/s/ Richard A. Smith

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